

A Regular Meeting of the Marilla Town Board was held February 10, 2005 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

John R. Foss, Supervisor
Fred Specht, Councilman
George Gertz, Councilman
Warren Handley, Councilman

Absent: Barbara Spanitz, Councilman

Supervisor Foss called the meeting to order and the Pledge of Allegiance to the Flag was given.

Communications

Communications were received and read from:

- a. Jeffrey Lewinski, owner of the Marilla Grill notified the Town that they have renewed their liquor license for two years.

Committee Reports

Supervisor Foss reported for Highway Superintendent Dave Pierce, that he has been working on problems with the building next door and the new park shelter. We will be addressing the shelter later in the meeting.

Supervisor Foss reported that he has been notified by the County of Erie that we have received a grant from HUD to operate the Rural Transit Service for this coming year. We work in conjunction with Elma, Wales and Aurora in providing the service. He thinks we should be very aware that President Bush's new budget eliminates many of the HUD programs and this may very well be one of those eliminated. The Town of Marilla would have to pick up a share of this cost if we do not receive federal support and if we would want the program to continue.

He stated that he is currently working on an income survey for Water V. The survey must be done as soon as possible and Volunteers including Town Board Members will personally deliver the surveys to speed up the process. It is imperative that we move quickly and get the information to the survey company as soon as possible. The company is RCAP Solutions in Massachusetts. All information will only be available to RCAP to obtain average income for the area. Without a completed survey there will be no water district.

He reported that Kotas and Kotas are currently working on the 2004 financial statement and it will be completed and sent to the State Comptroller before the March 1st deadline. The Town finances are in good shape and I should have final numbers at our next meeting. Due to all the problems we have had with the roof on the Community Center the shingles are in bad shape and we are considering replacing the shingles. We also need new shingles on the Town Hall. Dave has offered to roof the Town Hall and Community Center but I feel we should bid out the Community Center due to all the problems with that roof, this would ensure a warranty on that roof.

Open Board Presentations From the Public

None

Old Business

Motion: Councilman Specht moved, seconded by Councilman Gertz to approve the minutes from the Regular Board Meeting held on 1/6/05. Motion Carried.

New Business

Motion: Councilman Gertz moved, seconded by Councilman Handley to approve Insurance package with Thompsons Insurance for \$49,534.15 for 2005. Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Specht to set the date for the Public Hearing on Local Law No. 1 for year 2005 for March 10th at 7:30 p.m. the law is entitled “Amendment to the Zoning Law of the Town of Marilla” the purpose of the law is to provide reasonable limits on the development of flag lots. Motion carried.

Motion: Councilman Handley moved, seconded by Councilman Gertz to approve Tri –Town United Soccer to use the Town of Marilla Soccer fields for their 2005 season upon receipt of their 2005 schedule for the season. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to approve the following resolution:

WHEREAS, the Boys and Girls Club of Elma, Marilla, Wales, Inc. provides services for the benefit of the residents of the Town of Marilla; and

WHEREAS, the Town of Marilla has made provision in the 2005 budget in support of such organization.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby approve the proposed agreement with The Boys and Girls Club of Elma, Marilla, Wales, Inc. with an annual payment of \$3,500 for the year 2005, a copy of which agreement is annexed hereto.
2. That the Supervisor is hereby authorized to execute such agreement on behalf of the Town of Marilla.
3. This resolution shall take effect immediately.

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Gertz to approve the following resolution:

WHEREAS, Elma, Marilla, Wales Sports, Inc. provides services for the benefit of the residents of the Town of Marilla; and

WHEREAS, the Town of Marilla has made provision in the 2005 budget in support of such organization.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby approve the proposed agreement with Elma, Marilla, Wales Sports, Inc. with an annual payment of \$3,300 for the year 2005, a copy of which agreement is annexed hereto.
2. That the Supervisor is hereby authorized to execute such agreement on behalf of the Town of Marilla.
3. This resolution shall take effect immediately.

Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Spanitz to appoint Jim Beats as election machine custodian for the year 2005 and pay a salary equal to his highway position for hours worked as needed. Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Specht to authorize the Town Clerk to publish bids for the new Park Shelter to be opened prior to the next Board Meeting. Motion Carried.

Report of Town Officials

Town Engineer Marie Nowak stated that her report was repetitive of the Supervisor's discussing the roof repair at the Community Center and the Income threshold for Water District V.

Building Inspector John Fronczek submitted a written report with 5 building applications received with fees totaling \$855, 5 building permits issued with a total value of \$234,500., 6 inspections were made and no complaints were received for the month of January 2005. One of the permit fees was doubled for not having a building permit. John Fronczek and Deputy Inspector Scott Rider completed a three day Niagara Frontier Building Conference in January.

Assessor Chairman, Earl Dabb reported that the Senior Citizen and Enhanced Star Exemptions have been sent out and the Agricultural exemptions will be sent out next week.

Planning Board member Dan Handy stated that the next meeting will be February 17th at 7:00 p.m.

The Conservation Advisory minutes have been received and posted.

Volunteer Fireman Andy Farmer stated that the sign program has been successful. They have 140 to be put up, they will resume the installations in the Spring. He thanked any residents that had cleared out the hydrants, if residents could keep the hydrants cleared out it is a huge help. He stated that the Ladies Auxiliary will be having a meat raffle on March 19th at 6:30 p.m.

Town Historian Hubert Kutter stated that he had a request for information from the Austin and Willis families. The time capsule President is still gathering items for the capsule. He has been working on an article for the Western New York Heritage Magazine about the cheese business.

Supervisor Foss stated that summer activities are filling up, the last Sunday in July we have the car show planned and the Civil War Re-enactment for the first weekend in August as well as the concerts at the Pavilion.

Open Board Presentations

Councilman Specht asked Mr. Farmer if the sale of the sign house numbers from the Fire Company has an ending date.

Mr. Farmer replied that it is a continuing program without an end date.

Councilman Handley asked the Supervisor to appoint the Pavilion Committee.

Supervisor Foss appointed Warren Handley as the Chairman, Mary Nette Foss, Sally Woodard, Sally Kutter, John Mitton and Mike Roth to the Pavilion Committee.

Supervisor Foss wanted to comment that a group of Supervisors got together and put together a letter to the County Executive and Legislators from the Association of Erie County Government voicing their concerns and suggesting a non-partisan unanimous solution to solve the budgetary crisis. He feels there is no such thing as negotiations or sitting down and coming to a reasonable settlement with County Government. He seen it in a couple of newspapers and agrees with the thought of going back to County Government that consists of the Board of Supervisors and a County Manager and do away with the County Executive and the Legislatures. He is concerned that when they appoint their blue panel committee, there is not one mayor or supervisor asked to sit on those committees yet we are the people that are closest to the tax payers and the residents. He stated that we do budgets and are all in good financial shape yet we are not invited. The Legislature now has another committee forming to look at the budget and again we are not invited. He thinks we will get the same old answers that we have in the past or they will propose something that they don't know whether it will work or not. He feels if

they would get all the Supervisors and Mayors together and ask for ideas of where they can save and where they can cut, what services we need and what we don't need it would benefit the County but he is sure they won't ask for our help.

Dan Handy asked about the speed limit reduction on Stolle Road if it had been denied or approved?

Supervisor Foss replied he would have to look into it.

Motion: Councilman Gertz moved, seconded by Councilman Handley to approve the claims as follows:

General Fund Claims, Vouchers 13-53	\$ 76,698.15
Highway Fund Claims, Vouchers 9-28	\$ 33,933.27
Special Districts	
Sanitation (SR), Vouchers 3-18	\$ 14,576.57
Special Fire Voucher 1	\$ 52.49
Water District #2, Vouchers 2-3	\$ 2,502.54
Water District #3 Voucher 3	\$ 1,306.94
Water District #4 Voucher 1	\$ 789.34
Community Develop. PACE	\$.00
Community Develop. HUD	\$.00

Motion Carried.

Motion: Councilman Specht moved, seconded by Supervisor Foss to adjourn the meeting at 8:00 p.m. Motion Carried.

Respectfully submitted,

_____ Town Clerk	_____ Supervisor
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman